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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT**Docket Number (Optional)  
717859.11 (1328 WO/US)

In re Application of: Dyszlewski, Mary M.

Application No.: 10/030,741

Filed: November 30, 2001

For: THE USE OF AMINOPOLYCARBOXYLATE LIGANDS IN LABELING BIOLOGICALLY ACTIVE  
SUBSTRATES WITH A Tc-99m TRICARBONYL PRECURSOR

The owner\*, Mallinckrodt Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term prior patent Nos. 6,359,119 and 6,344,178 as the term of said **prior patents** is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patents** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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Is held unenforceable

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Is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;

Has all claims canceled by a reexamination certificate;

Is reissued; or

Is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 29-531

*Lawrence E. Evans* 1/14/05  
Signature Date

Lawrence E. Evans

Typed or printed name

314-345-6000

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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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